

Exhibit 28



Planet Depos®
We Make It Happen™

Transcript of 190117_1621_Limited Confidentiality

Case: Caryn Devins Strickland -v- United States of America, et al.

Planet Depos
Phone: 888-433-3767
Fax: 888-503-3767
Email: transcripts@planetdepos.com
www.planetdepos.com

WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

1

2

3

4

5

6

7 CONVERSATION

8 "190117_1621_Limited Confidentiality"

9 IN RE: CARYN DEVINS STRICKLAND V. UNITED STATES OF
10 AMERICA, ET AL.

11

12

13

14

15

16

17

18

19

20 Job No.: 479402

21 Pages: 1 - 62

22 Transcribed by: Christian Naaden

1 -- and that is just a matter that involves the EDR
2 coordinator and the employee. But a ju- -- a judicial
3 officer doesn't get involved at that stage.

4 MR. STRICKLAND: If you -- if you have a
5 failure to state a actionable claim, it can be
6 dismissed.

7 MR. ISHIDA: Well, I don't think that's the --
8 that's not the purpose of the counseling period.

9 MR. STRICKLAND: What about mediation?

10 MR. ISHIDA: Well, I don't -- I -- I think --
11 I think mediation is designed for just that. It is an
12 attempt to mediate the dispute between the employee and
13 the employing office.

14 MR. STRICKLAND: I mean, is it possible that --
15 -- that -- that the parties could go through mediation,
16 and there's no -- whoever is the hold-up, there's no
17 agreement that's reached. I mean, could it be dismissed
18 prior to a hearing?

19 MR. ISHIDA: Well, I mean, let's -- let's --
20 let's -- let's -- let's say that, okay, Caryn requests
21 mediation, we go through mediation, and the mediator is
22 unsuccessful. What happens then is the mediator just

1 says, we've reached an impasse, and I will declare
2 mediation at an end. So we have not resolved the merits
3 of any claim.

4 That would come at the formal stage if -- if
5 Caryn wants to proceed and requests a hearing. Then at
6 that time, you're going to -- Judge Gregory will
7 appoint a judicial officer, and there will be -- there
8 will be findings on the merits between that.

9 MR. STRICKLAND: Is that not --?

10 MR. ISHIDA: At -- at the end of -- at the end
11 of that proceeding.

12 MR. STRICKLAND: Is that not what Heather was
13 doing too though, making findings and conclusions?

14 MR. ISHIDA: Well, she -- she -- she's done an
15 investigation, she has put down her impression, and --
16 and her -- and her recommendations. They're not
17 findings. I mean -- I mean, well, in the sense of this,
18 you know -- this is, you know -- she has -- she has
19 made --

20 Well, wha- -- the -- the -- what I wanted
21 Heather to do was to say, okay, this is -- this is very
22 helpful, but it -- it's almost like a chronology. And I